

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DOUGLAS C. HOLLIBAUGH,

Plaintiff,

vs.

H & H AUTOMOTIVE, LLC,

Defendant.

**8:23CV513**

**FINAL PROGRESSION ORDER  
(AMENDED)**

The parties' joint motion ([Filing No. 19](#)) to extend unexpired deadlines in the final progression order is granted.

Accordingly,

IT IS ORDERED that the final progression order is as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for June 25, 2024 at 11:00 a.m. by telephone is continued and will be held with the undersigned magistrate judge on **September 17, 2024** at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is August 13, 2024. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by August 27, 2024.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadline for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is August 13, 2024.
- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is September 10, 2024.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is October 15, 2024.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is October 15, 2024.
- 7) All other deadlines and provisions in the final progression order ([Filing No. 10](#)) remain unchanged.

Dated this 5th day of June, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.